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In re Application of to be determined
U.S. Application No.: 10/533,918
PCT Application No.: PCT/JP03/14218
Int. Filing Date: 07 November 2003
Priority Date Claimed: 08 November 2002
Attorney Docket No.: to be determined

COMMUNICATION

This is in response to applicant's "Request to Correct Transmittal Letter" filed 25 May 2005.

BACKGROUND

On 07 November 2003, applicant filed international application PCT/JP03/14218, which claimed priority of an earlier Japan application filed 08 November 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 21 May 2004. The thirty-month period for paying the basic national fee in the United States expired on 08 May 2005.

On 06 May 2005, applicant filed two sets of national stage papers in the United States Designated/Elected Office (DO/EO/US). Both sets of national stage papers included a document entitled "Transmittal Letter to the U.S. Designated Office (DO/US)--Entry into the U.S. National Stage Under Chapter I". One set of national stage papers identified the attorney docket number as "200303.00008", and the second set of national stage papers identified the attorney docket number as "200303.00010".

DISCUSSION

The submission of two different sets of national stage papers for the same international application was improper. A petition under 37 CFR 1.182, along with the requisite \$400.00 petition fee, is required to resolve the matter. The petition must specify the particular set of national stage papers that will continue to be prosecuted under 35 U.S.C. 371 and must also

specify whether applicant desires the other set of national stage papers to be treated as an application filed under 35 U.S.C. 111(a).

CONCLUSION

A proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to timely file a proper response will result in ABANDONMENT of the applications. Extensions of time are available under 37 CFR 1.136(a). A proper response would include an appropriate petition under 37 CFR 1.182 as discussed above.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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